

Remarks

The final office action (the “Office Action”) rejected claims 1-14 as under 35 U.S.C. § 103(a) as being unpatentable over Andersen U.S. Patent No. 5,974,453 (“Andersen”).

MPEP 706.02(j) recites:

When determining whether a claim is obvious, an examiner must make “a searching comparison of the claimed invention – *including all its limitations* – with the teaching of the prior art.” *In re Ochiai*, 71 F.3d 1565, 1572 (Fed. Cir. 1995) (emphasis added). Thus, “obviousness requires a suggestion of all limitations in a claim.” *CFMT, Inc. v. Yieldup Intern. Corp.*, 349 F.3d 1333, 1342 (Fed. Cir. 2003) (*citing In re Royka*, 490 F.2d 981, 985 (CCPA 1974)). Moreover, as the Supreme Court recently stated, “*there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness.*” *KSR Int’l v. Teleflex Inc.*, 127 S. Ct. 1727, 1741 (2007) (quoting *In re Kahn*, 441 F.3d 977, 988 (Fed. Cir. 2006) (emphasis added)).

The prior art, including Andersen, does not teach or suggest all the limitations in the claims currently presented for examination.

Andersen and the Present Application set out to address significantly different problems and, thus, arrive at significantly different solutions.

Andersen makes clear that its main concern is with devices that connect intermittently to the Internet.

[P]rior art systems fails [sic] to provide users with a static identifier which may be resolved to gain access to an *intermittently* connected device. This lack of a single identifier complicates the process of determining the network address (if any) of a device which is *intermittently* connected or for other reasons not permanently assigned a network address. As a result, location of and communication with such *non-permanent* devices is unduly burdensome using prior art techniques. (Andersen, Col. 2, Lines 15-23) (emphasis added).

These intermittent, non-permanent devices connect to the Internet via dial-up connections and are assigned a different dynamic IP address every time they dial up. (Andersen, Col. 3, Lines 19-27). Andersen arrives at a system that provides “static names for [intermittent] devices which are *dynamically* assigned network addresses upon connection to the network.” (Andersen, Col. 1, Lines 10-13).

The Present Application, in contrast, sets out to address the limited supply of internet domain names (Application, P. 2, Lines 8-9) and their high cost (Application, P. 2, Lines 13-14)

among other problems in the internet domain name registration system. The methods and systems of the Present Application do not seek to address problems with devices with intermittent connections and dynamic IP addresses. Instead, the Present Application is mainly concerned with devices that host web pages and have internet domain names such as, for example, “ibm.com” (Application, P. 1, Lines 15-20) and “1-800-Flowers.com” (Application, P. 4, Lines 26-31). These devices do not connect to the internet via intermittent connections. These devices connect to the internet via fixed, high bandwidth connections with static, not dynamic, IP addresses. (Application, P. 6, Lines 12-15). Differences between devices that connect via dynamic IP addresses and static IP addresses are, of course, immense. Devices assigned static IP addresses have none of the problems that Andersen seeks to solve. Most importantly, it is not necessary to find a static identifier for these devices because they already have one: the static IP address.

Thus, the teachings of Andersen have little, if any, applicability to the Present Application and claims in the Present Application are patentably different from the teachings of Andersen.

Neither, does Andersen address embodiments of the Present Application that allow a user to omit, for example, the country code when entering a telephone number. (Application, P. 11, Line 22 to P. 12, Line 1).

Thus, Andersen and the Present Application seek to address very different problems and, thus, arrive at very different solutions.

The claims will now be discussed independently.

Independent Claim 15

Claim 15 recites a method comprising receiving a telephone number portion identifying a device assigned a static Internet Protocol (IP) address in a network. Andersen does not teach the claim limitation.

Andersen makes clear that its technique is “for translating a convenient static identifier number into a **dynamically** assigned network address.” (Andersen, Col. 3, Lines 1-3). The concern is that “[p]rior art techniques do not provide ... a mechanism for locating and accessing intermittently connected devices.” (Andersen, Col. 3, Lines 16-18). An intermittently connected

device is one that connects “to the Internet via a dial-up connection through an Internet service provider.” (Andersen, Col. 3, Lines 22-25). “The Internet service provider assigns [to the device] a temporary [dynamic] IP address.” (Andersen, Col. 3, Lines 25-26).

Thus, Andersen does not teach the claim 15 limitation of receiving a telephone number portion identifying a device assigned a static Internet Protocol (IP) address in a network.

Similarly, Andersen does not teach the claim 15 limitations of matching the multiple level domain name to the static Internet Protocol (IP) address and establishing communication with the device over the network via the static Internet Protocol (IP) address. In contrast with claim 15, Andersen teaches dynamic IP addresses stored in a dynamic database, (Andersen, Col. 4, Lines 28-43), not static IP addresses.

The prior art fails to teach all limitations of claim 15. For at least these reasons, claim 15 is in condition for allowance.

Claim 19

Claim 19 recites a method comprising recognizing in the multiple level domain name insufficiency in a number of domain levels necessary to identify the device in the network and appending additional domain levels to the multiple level domain name to correct the insufficiency in the total number of domain levels.

The claims are supported in the specification in, at least, P. 11, Line 22 to P. 12, Line 1. Andersen does not address the claim limitations.

Independent Claim 22

Claim 22 recites a method comprising detecting ambiguity in whether a multilevel domain name comprising one or more domains corresponding to a telephone number identifies a first device or a second device in a network and adding additional domains corresponding to one or more of a country code, an area code, and an exchange to the multilevel domain name to solve the ambiguity.

The claims are supported in the specification in, at least, P. 11, Line 22 to P. 12, Line 1. Andersen does not address the claim limitations.

Claim 23

Claim 23 recites a method comprising looking-up a static Internet Protocol (IP) address matching the multilevel domain name and establishing a connection to the first device over the network via the static Internet Protocol (IP) address. Andersen does not teach the claim limitations.

As discussed above, Andersen teaches methods and systems relating to dynamic IP addressing. Dynamic IP addressing has its own set of issues that Andersen seeks to solve. As Andersen explains, devices that connect to the internet via dial-up connections are assigned different (dynamic) IP addresses every time the dial up. (Andersen, Col. 3, Lines 19-27). Claim 23, however, recites looking-up a static IP address. Devices of concern to claim 23 do not dial-up but have fixed (static) connections and are assigned fixed (static) IP addresses. These are fundamental differences between claim 23 and the prior art.

For at least these reasons, claim 23 is in condition for allowance.

Independent Claim 26

Claim 26 recites a system comprising a processor configured to look-up a static Internet Protocol (IP) address corresponding to the domain name and connection logic configured to communicate with the processor and establish a connection to the device represented by the telephone number via the static Internet Protocol (IP) address.

As discussed above, Andersen teaches methods and systems relating to dynamic IP addressing. (Andersen, Col. 3, Lines 19-27). Andersen does not teach or address issues regarding static IP addresses. Thus, Andersen does not teach or suggest the limitations of claim 26.

For at least these reasons, claim 26 is in condition for allowance.

Claims 30 and 31

Claim 30 recites a system comprising ambiguity detection logic configured to detect whether the domain name is ambiguous as to which device in the network the domain name represents and disambiguity logic configured to add one or more additional domains to the domain name to solve the ambiguity. Claim 31 recites the system of claim 30, where the additional domains correspond to a country code, an area code, and an exchange.

The claims are supported in the specification in, at least, P. 11, Line 22 to P. 12, Line 1. Andersen does not address the claim limitations.

Conclusion

For the reasons set forth above, the pending claims are in condition for allowance. An early allowance of all claims is earnestly solicited.

Applicant includes payment of the fee set forth in 37 C.F.R. § 1.17(e) and believes that no additional fees are due at this time. If there are any other fees due in relation to submittal of this communication, please charge to deposit account No. 02-2051, Docket No. 26769-6.

Respectfully submitted,

Dated: February 9, 2009

By: / Luis A. Carrion /
Luis A. Carrion
Reg. No. 61,255
**BENESCH, FRIEDLANDER,
COPLAN & ARONOFF LLP**
2300 BP Tower
200 Public Square
Cleveland, OH 44114
(216) 363-4635